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*Attorneys for Defendants, Counter Claimants  
and Third-Party Plaintiffs*

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

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CAPANA SWISS ADVISORS AG, a Swiss  
corporation; AMERIMARK AUTOMOTIVE  
AG, a Swiss corporation,

Plaintiffs,

vs.

RYMARK, INC., a Utah corporation;  
NICHOLAS THAYNE MARKOSIAN, an  
individual; JOHN KIRKLAND, an individual;  
and VICKY SMALL, an individual,

Defendants.

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RYMARK, INC., a Utah corporation; and  
NICHOLAS THAYNE MARKOSIAN, an  
individual,

Counter Claimants,

vs.

CAPANA SWISS ADVISORS AG, a Swiss  
corporation, and AMERIMARK  
AUTOMOTIVE AG, a Swiss Corporation,

Counter Defendants.

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**CERTIFICATE OF SERVICE OF  
*EX PARTE* MOTION FOR  
ALTERNATIVE SERVICE**

Case No.: 2:23-cv-00467

Judge Ted Stewart  
Magistrate Judge Cecilia M. Romero

**EXPEDITED TREATMENT  
REQUESTED**

RYMARK, INC., a Utah corporation; and  
NICHOLAS THAYNE MARKOSIAN, an  
individual,

Third-Party Plaintiffs,

vs.

SHAEN BERNHARDT, an individual;  
ASHLEY MIRON LESHEM, an individual;  
DAVID HESTERMAN, an individual;  
NICOLAI COLSHORN, an individual;  
STEFAN KAMMERLANDER, an individual;  
ALEXANDER COENEN, an individual;  
MARTIN FASSER HEEG, an individual;  
AMERIMARK GROUP AG, a Swiss  
corporation; and PHILOMAXCAP AG, a  
German corporation,

Third-Party Defendants.

I hereby certify that on the 4th day of February 2025, I caused a true and correct copy of  
the ***EX PARTE* MOTION FOR ALTERNATIVE SERVICE** to be served on counsel for John  
Simkiss and Sarah Simkiss via electronic mail, at the below:

Jonathan S. Goldstein (jgoldstein@goldsteinlp.com)  
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DATED: February 4, 2025

**KUNZLER BEAN & ADAMSON, PC**

/s/Robert P. Harrington

Chad S. Pehrson

Robert P. Harrington

Stephen Richards

*Attorney for Defendants*